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February 09, 2018

Hon. Richard J. Sullivan  
United States District Court Judge  
Southern District of New York  
New York, New York 10007

Re: United States v. Eduardo Rodriguez 12Cr322 (RJS)

Dear Judge Sullivan:

I am counsel for Mr. Eduardo Rodriguez appointed on or about January 18, 2023 pursuant to 18 U.S.C. § 3006A to represent him regarding alleged specifications of violation of supervised release included in probation report dated January 5, 2023. Pursuant to the Court's Order, please accept this letter as the parties' joint status update letter.

As the Court is aware the aforementioned violation was premised on Mr. Rodriguez's arrest and pending case in New York Criminal Court under Case No. Cr-030614-22NY. On or about February 16, 2023, the prosecutors in that matter moved for the case to be dismissed and the presiding judge granted the motion ordering that the matter be sealed pursuant to NY Criminal Procedure Law 160.50, Order Upon Termination of Criminal Action in Favor of the Accused. A copy of the certificate of disposition is attached for the Court's review.

After consulting with AUSA Christopher DiMase and Probation Officer Alicia Black, it is our recommendation that the Court permit Probation to withdraw the violation and for Mr. Rodriguez to continue with supervision for the remainder of his five-year term with all standard and special conditions in effect at the time of filing of the violation. We submit that such a result is appropriate based on the dismissal of the state matter, as well as the fact that Mr. Rodriguez remains otherwise in full compliance of his supervision. Probation reports that Mr. Rodriguez has a stable residence, gainful employment working approximately 10 hours a day, earning \$180 a day. There has been no indication of substance abuse, which allowed the Court to grant Probation's recommendation to suspend Mr. Rodriguez's treatment condition on March 1, 2022. These are obviously all very positive indications that Mr. Rodriguez has learned from his prior mistakes. It is also signals that he continues to make tremendous progress personally and is becoming a responsible member of his community.

It is upon these basis that the parties recommend that the Court grant our request to allow Probation to withdraw the violation and allow Mr. Rodriguez to continue with

supervision for the remainder of his five-year term with all standard and special conditions in effect at the time of filing of the violation.

Thank you in advance for any and all consideration of this application. We will await further instructions from the Court.

Respectfully,

*A. James Bell*  
A. James Bell, Esq.